

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
S/S Tila Road, 780 ft. E of * ZONING COMMISSIONER
Siame Avenue * OF BALTIMORE COUNTY
3919 Tila Road *
11th Election District * Case No. 93-101-A
5th Councilmanic District *
Philip M. Cowett, Jr., et ux *
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Zoning Variance from Section 402 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 73 ft. at the front building line, in lieu of the required 90 ft., for a conversion of the subject dwelling to two units. The relief requested is more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Zoning Variance.

The Petitioners/property owners, Philip M. Cowett, Jr. and Sandra L. Cowett, appeared and testified. Appearing in opposition were two neighbors, Mary M. Farrell, who resides immediately next door at 3917 Tila Road and Erick L. Gustavson who resides at 3912 Tila Road.

Testimony and evidence received at the hearing disclosed that the subject property, known as 3919 Tila Road, is located in that subdivision known as Carla Green which largely contains single family houses. The subject property is 0.337 acres, zoned D.R.5.5, and is presently improved by a dwelling which houses two apartments and a garage.

The Petitioners testified that the subject community was built in approximately 1964 and that the subject dwelling was one of the first houses which was completed in the community. The property is situated on the south side of Tila Road where that roadway deadends. To the east of

the property is open space maintained by an adjoining subdivision known as the Seven Courts Community. This community is comprised of townhouses. To the west is Mrs. Farrell's house.

The Petitioners further testified that the developer of the community occupied the subject property and converted same to a two apartment dwelling in 1967. The Petitioners testified that they have owned and occupied the one apartment unit and have leased the second unit since their purchase of the property in 1980.

The Petitioners are seeking a variance under Section 402 of the B.C.Z.R. which relates to conversion of dwellings. However, they actually seek a legitimization of the situation which has existed for many years. They described the floor plan of the subject house. There are two floors, each containing two bedrooms, a kitchen, living room, bath and a storage area. They indicated that they have made a number of improvements to the property and argued two factors in support of the requested variance: (1), that this dwelling has been a two apartment use for many years and (2), that the site constraints of the lot require the variance. That is, the lot is narrower at the front and wider to the rear. Also, the undeveloped open space on the east side of the property provides the property with an appearance of being wider.

Mr. Erick L. Gustavson, one of the protestants, testified as to his objections regarding the apartment use. He is concerned for the safety of the tenants because, in his view, the property is not maintained properly. He also believes that the subject apartment use does not fit in with the character of the neighborhood. Ms. Mary Farrell, a protestant, testified that her house was built in 1982, and indicated that when she moved in, she inquired with Baltimore County as to whether the apartment use at

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the subject property was legitimate. She was informed that the apartment use was permissible. She stated that she is afraid of the possible proliferation of apartment uses in the community.

The Petition has been subject to review by the Zoning Plans Advisory Committee. Specifically a comment has been received from the Office of Planning and Zoning recommending that this Petition be denied. This recommendation is based on the provisions within the Baltimore County Master Plan which stresses the importance of maintaining the County's older communities. The office believes that a "... change in the use from a single-family dwelling to an apartment will detract from the goal of maintaining or enhancing the physical, social and economic resources of the established community." Although the comment is well intentioned, it is to be noted that the proposal does not seek any change of existing conditions. The subject property has been used as a two apartment dwelling for over 20 years.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

-3-

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance requested, and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety and general welfare. Further, granting of the variance will be in strict harmony with the spirit and intent of the B.C.Z.R.

Notwithstanding the approval of the variance, a concern remains about the desirability of maintaining the single family dwelling character of the neighborhood. In that the owners occupy one of the apartments, I am convinced that the property will be kept in good repair. However, if the property owners were to move, there is a possibility that the property would become rundown and could be detrimental to the neighborhood. In view of these concerns, I will restrict the variance only to the subject owners. If, in the event, the property owners move and the property is no longer owned by them, the variance granted herein will be forfeited. Further, I will require that the variance will continue only for as long as the owners live on the property.

-4-

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 12th day of Nov., 1992 that a variance from Section 402 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 73 ft. at the front building line, in lieu of the required 90 ft., for a conversion of the subject dwelling to two units, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The granting of the variance is personal to the subject Petitioners; namely, Philip M. Cowett, Jr., and Sandra L. Cowett. In the event these property owners sell and/or do not reside on the site, the variance granted herein shall be forfeited.
3. The Petitioners shall cause a copy of this Order containing the conditions and restrictions listed herein to be recorded among the Land Records of Baltimore County, within 60 days of the date hereof. A copy of the recorded Order

shall be delivered to the Zoning Commissioner to be placed in the file.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



(410) 887-4386

November 10, 1992

Mr. and Mrs. Philip M. Cowett, Jr.
3919 Tila Road
Baltimore, Maryland 21234

RE: Case No. 93-101-A
Petition for Variance
3919 Tila Road

Dear Mr. and Mrs. Cowett:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-1391.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
att.
cc: Mary M. Farrell
cc: Erick L. Gustavson



Petition for Variance
to the Zoning Commissioner of Baltimore County

for the property located at 3919 Tila Road, 11th Election District
which is presently zoned D R 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 402 to permit a width of lot in feet at front building line of 73 feet ± in lieu of the required 90 feet. In all other respects the subject property complies with the Baltimore County Zoning Regulations to permit the conversion of this dwelling to two units.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty): strict compliance is a practical difficulty as, among other reasons, the subject property is the last parcel within the Carla Green subdivision, is located at the end of a dead-end road and is adjacent to a utility easement that renders conformance unnecessarily burdensome. No lesser relaxation of the B. C. Z. R. would give substantial relief and the relief requested can be granted in safety and welfare secured.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of the petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee
(Type or Print Name)
Signature
Address
City State Zip Code
Attorney for Petitioner
(Type or Print Name)
Signature
Address
City State Zip Code

Who do I submit this and when? Under the provisions of the Zoning Law and the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)
Philip M. Cowett, Jr.
(Type or Print Name)
Philip M. Cowett Jr.
Signature
Sandra L. Cowett
(Type or Print Name)
Sandra L. Cowett
Signature
3919 Tila Road 529-1386
Address Phone No.
Baltimore, MD 21234
City State Zip Code
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted
Philip M. Cowett, Jr.
3919 Tila Road 529-1386
Address Phone No.

ESTIMATED LENGTH OF HEARING OFFICE USE ONLY
The following date is available for hearing
All OTHER
REVIEWED BY DATE

-5-

-6-

93-101-A 108

ZONING DESCRIPTION FOR 3919 TILA ROAD BALTIMORE, MD 21234

Beginning at a point on the south side of Tila Road, which is 50 feet wide, at the distance of 780 feet east of the centerline of the nearest improved intersecting street, Simms Avenue, which is 30 feet wide. Being Lot #7, Block B in the subdivision of Carla Green as recorded in Baltimore County Plat Book #38, Folio #21, containing 14,675 square feet. Also known as 3919 Tila Road and located in the 11th Election District.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 11th Date of Posting: 10/19/92
 Posted for: Philip & Sandra Cowett
 Petitioner: 3919 Tila Rd. Sp. 780' E of Simms Ave.
 Location of property: 3919 Tila Rd. Sp. 780' E of Simms Ave.
 Location of Sign: Front road way on property of Petitioner
 Remarks: Michael
 Posted by: Michael Date of return: 10/23/92
 Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 No. 107910
 #108
 DATE: 10/14/92 ACCOUNT: R-001-6150
 COMPUTER DOWN AMOUNT: \$ 50.00
 RECEIVED BY: PHILIP M. COWETT, JR.
 FOR: VARIANCE
 CHARGE: 04AD4#0107MICHRC \$50.00
 VALIDATION OR SIGNATURE OF CASHIER: ? RT ?

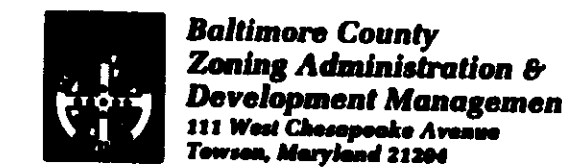
CERTIFICATE OF PUBLICATION

TOWSON, MD. 10/8 1992
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/8 1992

THE JEFFERSONIAN,

S. Zake Orlan

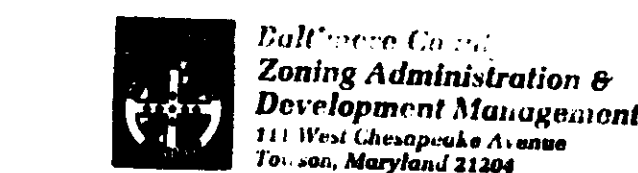
Publisher



receipt

Account: R-001-6150
 Number:
 PAID PER HAND-WRITTEN RECEIPT DATED 9/14/92
 9/23/92 H9300108
 PUBLIC HEARING FEES QTY PRICE
 010 -ZONING VARIANCE (1RL) 1 X \$50.00
 TOTAL: \$50.00
 LAST NAME OF OWNER: COWETT, JR.

Please Make Checks Payable To: Baltimore County



receipt

Account: R-001-6150
 Number:
 93-101
 PUBLIC HEARING FEES QTY PRICE
 010 -ZONING VARIANCE (1RL) 1 X \$50.00
 TOTAL: \$50.00
 LAST NAME OF OWNER: COWETT, JR.

Please Make Checks Payable To: Baltimore County

Baltimore County Government
 Office of Zoning Administration
 and Development Management
 Office of Planning & Zoning

111 West Chesapeake Avenue
 Towson, MD 21204

(410) 887-3353

DATE: 10/20/92

Philip and Sandra Cowett
 3919 Tila Road
 Baltimore, Maryland 21234

RE:
 CASE NUMBER: 93-101-A (Item 108)
 3919 Tila Road, 780' E of Simms Avenue
 3919 Tila Road
 11th Election District - 5th Councilmanic
 Petitioner(s): Philip M. Cowett, Jr. and Sandra L. Cowett
 HEARING: WEDNESDAY, NOVEMBER 4, 1992 at 11:00 a.m. in Rm. 106, County Office Building.

Dear Petitioner(s):

Please be advised that \$ 64.33 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward this check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Please the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

Bill John

ARNOLD JASSEN
 DIRECTOR

111 West Chesapeake Avenue
 Towson, MD 21204

(410) 887-3353

SEPTEMBER 29, 1992

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-101-A (Item 108)
 S/S Tila Road, 780' E of Simms Avenue
 3919 Tila Road
 11th Election District - 5th Councilmanic
 Petitioner(s): Philip M. Cowett, Jr. and Sandra L. Cowett
 HEARING: WEDNESDAY, NOVEMBER 4, 1992 at 11:00 a.m. in Rm. 106, County Office Building.

Variance to permit a width of lot in feet at front building line of 73 feet, more or less, in lieu of the required 90 feet.

Lawrence E. Schmidt
 Lawrence E. Schmidt

Zoning Commissioner of
 Baltimore County

cc: Philip and Sandra Cowett

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

111 West Chesapeake Avenue
 Towson, MD 21204

(410) 887-3353

October 20, 1992

Mr. and Mrs. Philip M. Cowett, Jr.
 3919 Tila Road
 Baltimore, MD 21234

RE: Item No. 108, Case No. 93-101-A
 Petitioner: Philip M. Cowett, Jr., et ux
 Petition for Variance

Dear Mr. and Mrs. Cowett:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

111 West Chesapeake Avenue
 Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 21st day of September, 1992.

Bill John
 ARNOLD JASSEN
 DIRECTOR

Received By:
 W. Carl Richards Jr.
 Chairman,
 Zoning Plans Advisory Committee

Petitioner: Philip M. Cowett, Jr., et ux
 Petitioner's Attorney:

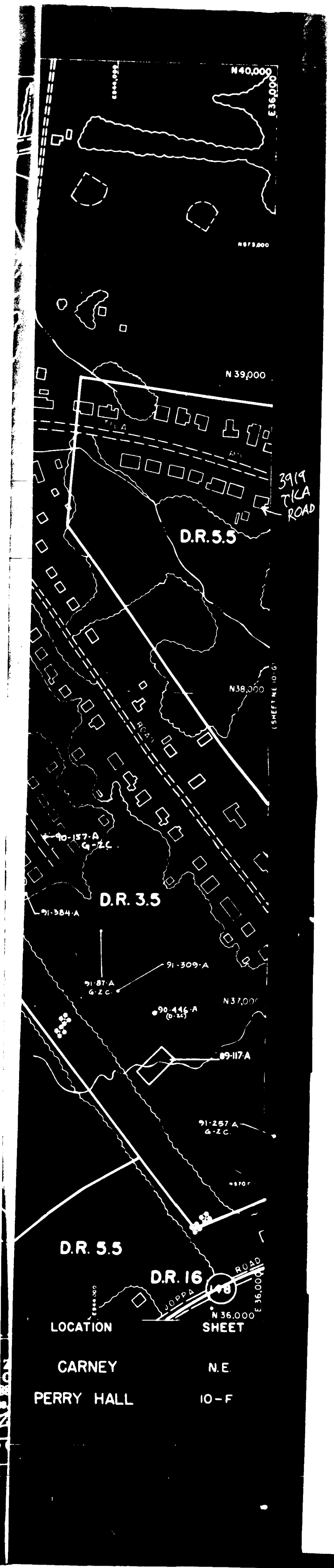
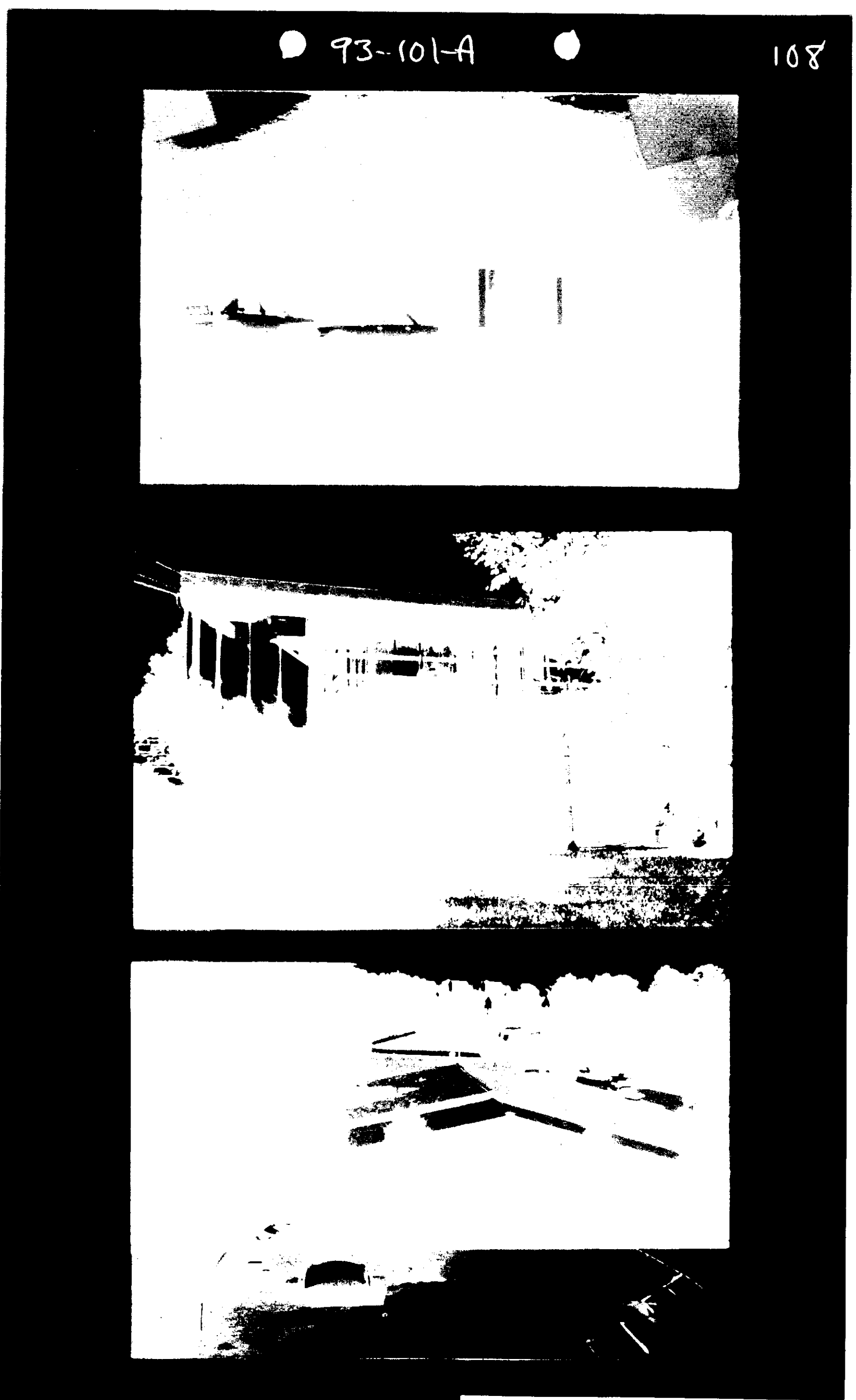
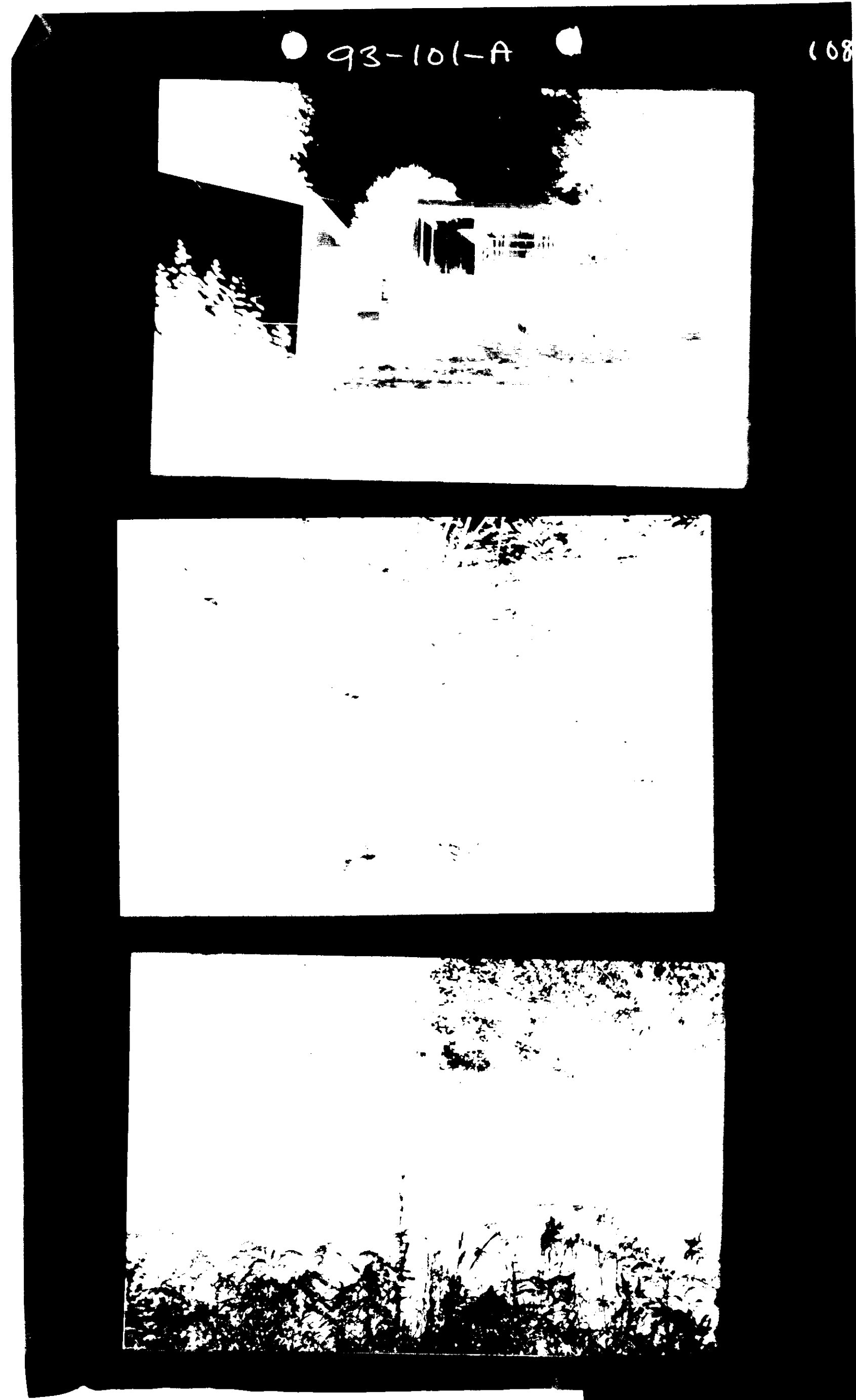
Engineering Division (Public Services)
 Development Review Committee Response Form
 Authorized signature: Bill John Date: 10/5/92

Project Name: Stonegate at Patapsco (Aerial Property)
 File Number: 90476 Waiver Number: 6-1-92 Meeting Date:
 ZON DED: TE (Waiting for developer to submit plans first)

COUNT 1
 Austin F. and Estelle R. Weber 102 9-28-92 Comment
 DED DEPRM RP STP TE
 ✓ Franklin Rav and Ann Mae Sumpter 103 NC
 DED DEPRM RP STP TE
 ✓ Richard A. Robert T. and Emily C. Baker 104 NC
 DED DEPRM RP STP TE
 ✓ Michael J. and Lori Greco 105 NC
 DED DEPRM RP STP TE
 Sudbrook Associates 106 Comment
 DED DEPRM RP STP TE
 ✓ Philip M. and Sandra L. Cowett NC
 DED DEPRM RP STP TE
 Gaetano Plataglia 91 Comment
 DED DEPRM RP STP TE
 ✓ Kurt D. and Denise E. Zumwalt 92 NC
 DED DEPRM RP STP TE

COUNT 8
 FINAL TOTALS
 COUNT 9
 *** END OF REPORT ***

RECEIVED
 OCT 5 1992
 ZONING OFFICE



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME ADDRESS

PHILIP A. COWETT, JR. 3919 TILA ROAD, BAYTOWN, MD 21234

Sandra L. Cowett 3919 Tila Road, Baltimore, MD 21234

PLEASE PRINT CLEARLY

NAME ADDRESS

MARY M. FARRELL 3917 TILA RD 21234

ERICK L. GUSTAVSON 3912 TILA ROAD 21234

Plat to accompany Petition for Zoning Variance ☒ **Special Hearing** ☐

PROPERTY ADDRESS: 3919 TILA ROAD, BALTO, MD 21234 see pages 2 & 3 of the CHECKLIST for additional required information

Subdivision name: CARLA GREEN

plat book: 38, folio: 21, lot: 7, section: B

OWNER: PHILIP M. & SANDRA L. COWETT

93-101-A

Plot No. 93-101-A

LOCATION INFORMATION

Constitutional District: 5

Election District: 11

T-200 scale map: N.E. 10-F

Zoning: D.R. 5.5

Lot area: 0.337

14,675.4 square feet

SEWER: ☒ WATER: ☒

Closest to Bay Critical Area: ☐

Prior Zoning Hearings: NONE

Zoning Office USE ONLY

reviewed by: ITEM 2: CASE:

date: 3/2/93

prepared by: P.M.C.

Scale of Drawing: 1" = 50'

108

| SCALE | LOCATION | SHEET |
|---------------------|------------|-------|
| 1" = 200' ± | CARNEY | N.E. |
| DATE OF PHOTOGRAPHY | PERRY HALL | 10-F |
| JANUARY 1986 | | |

93-101-A

108

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
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Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



(410) 887-4386

November 10, 1992

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3919 Tila Road
Baltimore, Maryland 21234

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3919 Tila Road

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Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
att.
cc: Mary M. Farrell
cc: Erick L. Gustavson

ORDER RECEIVED FOR FILING
Date 11/24/92
By Mr. Schmidt

-6-



Petition for Variance
to the Zoning Commissioner of Baltimore County

for the property located at 3919 Tila Road, 11th Election District
which is presently zoned D R 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 402 to permit a width of lot in feet at front building line of 73 feet ± in lieu of the required 90 feet. In all other respects the subject property complies with the Baltimore County Zoning Regulations to permit the conversion of this dwelling to two units.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty): strict compliance is a practical difficulty as, among other reasons, the subject property is the last parcel within the Carla Green subdivision, is located at the end of a dead-end road and is adjacent to a utility easement that renders conformance unnecessarily burdensome. No lesser relaxation of the B. C. Z. R. would give substantial relief and the relief requested can be granted in safety and welfare secured.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of the petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee
(Type or Print Name)
Signature
Address
City State Zip Code
Attorney for Petitioner
(Type or Print Name)
Signature
Address
City State Zip Code

Who do I submit this and when? Under the provisions of the Zoning Law and the Zoning Regulations of Baltimore County, the undersigned, legal owner(s) of the property which is the subject of this Petition, hereby agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Legal Owner(s)
Philip M. Cowett, Jr.
(Type or Print Name)
Signature
Sandra L. Cowett
(Type or Print Name)
Signature
3919 Tila Road 529-1386
Baltimore, MD 21234
City State Zip Code
Name, Address and phone number of legal owner, contract purchaser or representative
Philip M. Cowett, Jr.
3919 Tila Road 529-1386
City State Zip Code

ESTIMATED LENGTH OF HEARING (in minutes)
The following date is available for hearing
ALL OTHER
REVIEWED BY DATE

-5-

93-101-A 108

ZONING DESCRIPTION FOR 3919 TILA ROAD BALTIMORE, MD 21234

Beginning at a point on the south side of Tila Road, which is 50 feet wide, at the distance of 780 feet east of the centerline of the nearest improved intersecting street, Simms Avenue, which is 30 feet wide. Being Lot #7, Block B in the subdivision of Carla Green as recorded in Baltimore County Plat Book #38, Folio #21, containing 14,675 square feet. Also known as 3919 Tila Road and located in the 11th Election District.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 11th Date of Posting: 10/19/92
 Posted for: Philip & Sandra Cowett
 Petitioner: 3919 Tila Rd. 5th, 7th & 9th Ave. Hrs
 Location of property: 3919 Tila Rd. 5th, 7th & 9th Ave. Hrs
 Location of Sign: Posting made by ex. property of Baltimore
 Remarks: Michael
 Posted by: Michael Date of return: 10/23/92
 Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
 OFFICE OF REVENUE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 No. 107910
 #108
 DATE: 10/14/92 ACCOUNT: R-001-6150
 COMPUTER DOWN AMOUNT: \$50.00
 RECEIVED BY: PHILIP M. COWETT, JR.
 FOR: VARIANCE
 CHARGE: CHARGE \$50.00
 VALIDATION OR SIGNATURE OF CASHIER: RT?

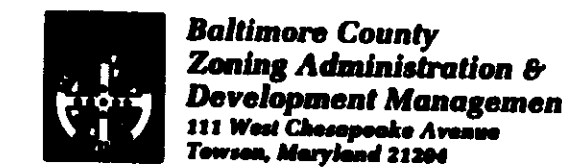
CERTIFICATE OF PUBLICATION

TOWSON, MD. 10/8 1992
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/8 1992

THE JEFFERSONIAN,

S. Zake Oliver

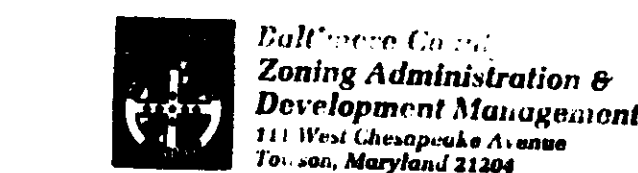
Publisher



receipt

Account: R-001-6150
 Number:
 PAID PER HAND-WRITTEN RECEIPT DATED 9/14/92
 9/23/92 H9300108
 PUBLIC HEARING FEES QTY PRICE
 010 -ZONING VARIANCE (1RL) 1 X \$50.00
 TOTAL: \$50.00
 LAST NAME OF OWNER: COWETT, JR.

Please Make Checks Payable To: Baltimore County



receipt

Account: R-001-6150
 Number:
 93-101
 PUBLIC HEARING FEES QTY PRICE
 010 -ZONING VARIANCE (1RL) 1 X \$50.00
 TOTAL: \$50.00
 LAST NAME OF OWNER: COWETT, JR.

Please Make Checks Payable To: Baltimore County

Baltimore County Government
 Office of Zoning Administration
 and Development Management
 Office of Planning & Zoning

111 West Chesapeake Avenue
 Towson, MD 21204

(410) 887-3353

DATE: 10/20/92

Philip and Sandra Cowett
 3919 Tila Road
 Baltimore, Maryland 21234

RE:
 CASE NUMBER: 93-101-A (Item 108)
 3919 Tila Road, 780' E of Slime Avenue
 3919 Tila Road
 11th Election District - 5th Councilmanic
 Petitioner(s): Philip M. Cowett, Jr. and Sandra L. Cowett
 HEARING: WEDNESDAY, NOVEMBER 4, 1992 at 11:00 a.m. in Rm. 106, County Office Building.

Dear Petitioner(s):

Please be advised that \$ 64.33 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward this check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Please the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

Bill John

ARNOLD JASSEN
 DIRECTOR

111 West Chesapeake Avenue
 Towson, MD 21204

(410) 887-3353

SEPTEMBER 29, 1992

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-101-A (Item 108)
 S/S Tila Road, 780' E of Slime Avenue
 3919 Tila Road
 11th Election District - 5th Councilmanic
 Petitioner(s): Philip M. Cowett, Jr. and Sandra L. Cowett
 HEARING: WEDNESDAY, NOVEMBER 4, 1992 at 11:00 a.m. in Rm. 106, County Office Building.

Variance to permit a width of lot in feet at front building line of 73 feet, more or less, in lieu of the required 90 feet.

Lawrence E. Schmidt
 Lawrence E. Schmidt

Zoning Commissioner of
 Baltimore County

cc: Philip and Sandra Cowett

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

111 West Chesapeake Avenue
 Towson, MD 21204

(410) 887-3353

October 20, 1992

Mr. and Mrs. Philip M. Cowett, Jr.
 3919 Tila Road
 Baltimore, MD 21234

RE: Item No. 108, Case No. 93-101-A
 Petitioner: Philip M. Cowett, Jr., et ux
 Petition for Variance

Dear Mr. and Mrs. Cowett:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

111 West Chesapeake Avenue
 Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 21st day of September, 1992.

Bill John
 ARNOLD JASSEN
 DIRECTOR

Received By:
 W. Carl Richards Jr.
 Chairman,
 Zoning Plans Advisory Committee

Petitioner: Philip M. Cowett, Jr., et ux
 Petitioner's Attorney:

Engineering Division (Public Services)
 Development Review Committee Response Form
 Authorized signature: Bill John Date: 10/5/92

Project Name: Stonegate at Patapsco (Aerial Property)
 File Number: 90476 Waiver Number: 6-1-92 Meeting Date:
 ZON DED: TE (Waiting for developer to submit plans first)

COUNT 1
 Austin F. and Estelle R. Weber 102 9-28-92 Comment
 DED DEPRM RP STP TE
 ✓ Franklin Rav and Ann Mae Sumpter 103 NC
 DED DEPRM RP STP TE
 ✓ Richard A. Robert T. and Emily C. Baker 104 NC
 DED DEPRM RP STP TE
 ✓ Michael J. and Lori Greco 105 NC
 DED DEPRM RP STP TE
 Sudbrook Associates 106 Comment
 DED DEPRM RP STP TE
 ✓ Philip M. and Sandra L. Cowett NC
 DED DEPRM RP STP TE
 Gaetano Plataglia 91 Comment
 DED DEPRM RP STP TE
 ✓ Kurt D. and Denise E. Zumwalt 92 NC
 DED DEPRM RP STP TE

COUNT 8
 FINAL TOTALS
 COUNT 9
 *** END OF REPORT ***

RECEIVED
 OCT 5 1992
 ZONING OFFICE



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 4 108 (RT)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

David Ramsey
John Contestabile, Chief
Engineering Access Permits
Division 9/23/92

My telephone number is

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 545-0451 D.C. Metro - 1-800-495-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

DRAFT

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

DATE: October 6, 1992

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: 3919 Tila Road

INFORMATION:
Item Number: 108

Petitioner: Philip M. Cowett, Jr.

Property Size: 0.337 acre

Zoning: DR S.5

Requested Action: Variance

Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

This petitioner is requesting a variance to permit a front building setback line of 73 feet in lieu of the required 90 feet. The petitioner is converting a dwelling into two units.

The Office of Planning and Zoning recommends DENIAL of the petitioner's request.

The existing structure is a one story stone and frame dwelling and is comparable in size and use with the surrounding single family detached homes. The Baltimore County Master Plan (page 38) states that "community conservation refers to public and private efforts designed to maintain or enhance the physical, social and economic resources of the County's older, urban area communities". Since this property is located in a community conservation area, our office feels that a change in use from a single-family dwelling to an apartment will detract from the goal of maintaining or enhancing the physical, social and economic resources of the established community.

Prepared by: James H. Hovey

Division Chief: Chris M. Paul

EMcd/FM

Rec'd 10/14/92

108.2AC/ZAC1

DPW/Traffic Engineering

10/05/92

Authorized signature: [Signature]

Date: 10/14/92

Project Name: Stonegate at Patapsco (Azreal Property)
File Number: 90476
ZON DED TE (Waiting for developer to submit plans first)
Meeting Date: 6-1-92

COUNT 1

Austin F. and Estelle R. Weber 102 W/C 9-28-92

DEPRM RP STP TE

Franklin Ray and Ann Mae Sumpter 103 W/C

DEPRM RP STP TE

Richard A. Robert T. and Emily C. Baker 104 N/C

DEPRM RP STP TE

Michael J. and Lori Greco 105 N/C

DEPRM RP STP TE

Sudbrook Associates 106 MIT

DEPRM RP STP TE

Philip M. and Sandra L. Cowett N/C

DEPRM RP STP TE

Gastano Platania 91 W/C

DEPRM RP STP TE

Kurt D. and Denise E. Zumwalt 92 N/C

DEPRM RP STP TE

COUNT B

Oliver Jones/Long Green Hotel 101 W/C

DEPRM RP STP TE

COUNT 1

RECEIVED

ZONING OFFICE

Department of Environmental Protection & Resource Management
Development Review Committee
Authorized signature: [Signature]

10/08/92

Date: 10-13-92

Project Name: Meadow Parks Limited Partnership
File Number: 84
Waiver Number: 95
Zoning Issue: 96
Meeting Date: 8-24-92

DEPRM
COUNT 3
Arthur Thomas Ward, III 9 8-3-92
DEPRM
COUNT 1
Meadow Parks Limited Partnership 84 8-14-92
DEPRM
Stanley R. And Kathy L. Schall 95
DEPRM
Claude N. and Gee Gee Z. Pfeffer 96
DEPRM
COUNT 3
Michael and Patricia Perholtz 71 9-31-92
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COUNT 1
Michael J. and Lori Greco 105 9-28-92
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Sudbrook Associates 106
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Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21204-5500

OCTOBER 19, 1992

(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: PHILIP M. COWETT, JR. AND SANDRA L. COWETT

Location: #3919 TILA ROAD

Item No.: 108 (RT) Zoning Agenda: SEPTEMBER 28, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature]
Planning Group
Special Inspection Division

JP/KER

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature: [Signature]

Date: 10/15/92

Project Name: Austin F. and Estelle R. Weber
File Number: 102
Waiver Number: 103
Zoning Issue: 104
Meeting Date: 9-28-92

DEPRM RP STP TE

Franklin Ray and Ann Mae Sumpter 103

DEPRM RP STP TE

Richard A. Robert T. and Emily C. Baker 104

DEPRM RP STP TE

Michael J. and Lori Greco 105

DEPRM RP STP TE

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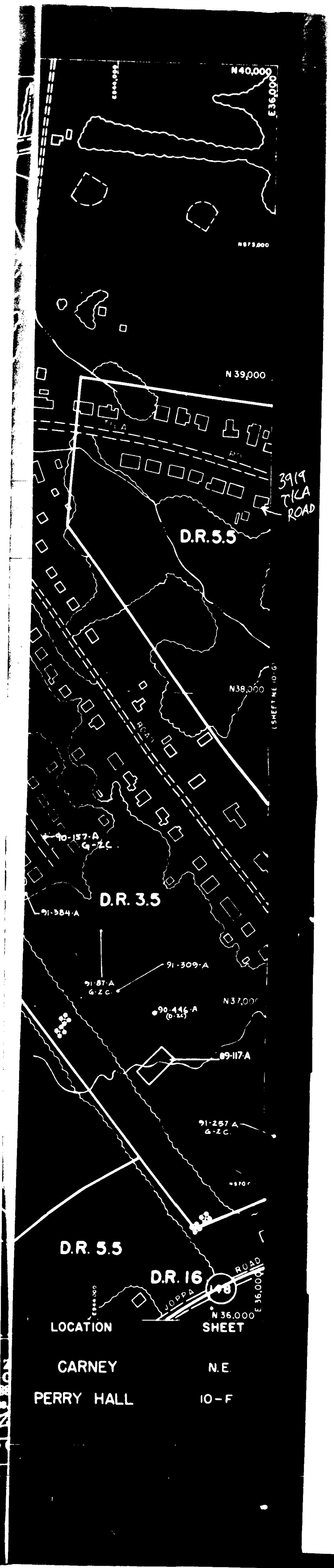
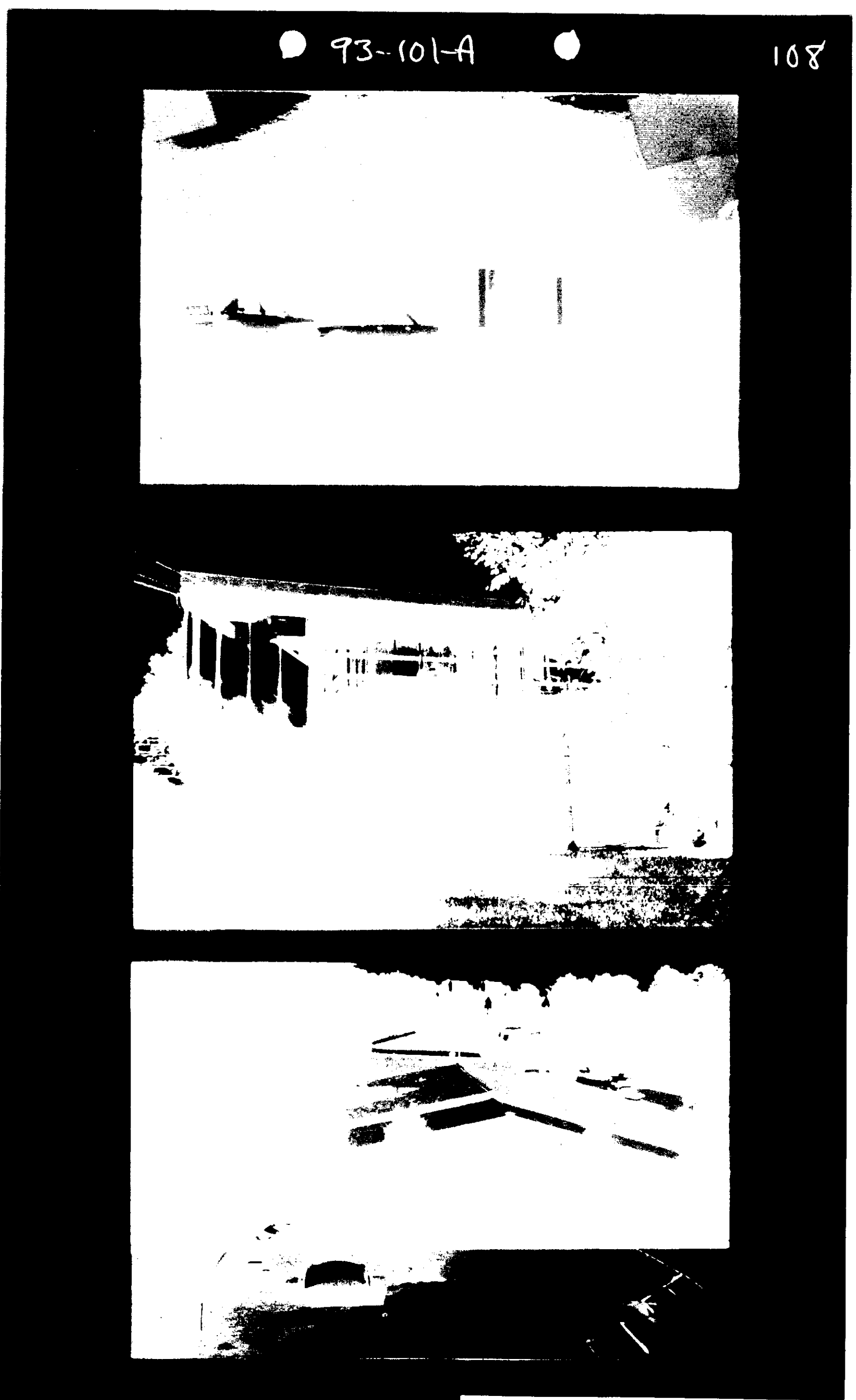
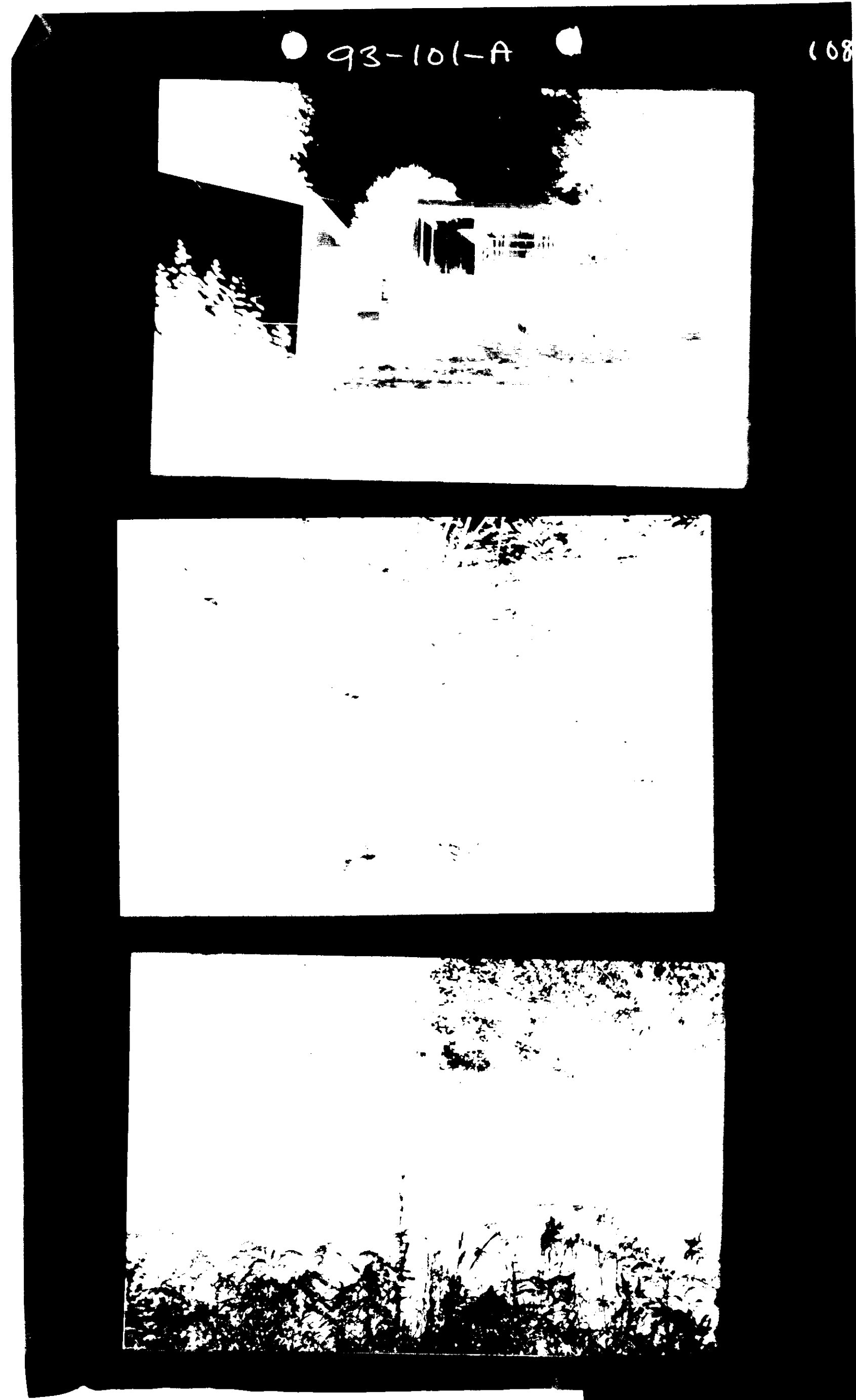
DEPRM STP

RECEIVED

OCT 5 1992

ZONING OFFICE





93-101-A 108

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME ADDRESS

PHILIP A. COWETT, JR. 3919 TILA ROAD, BAYTOWN, MD 21234

Sandra L. Cowett 3919 Tila Road, Baltimore, MD 21234

Plat to accompany Petition for Zoning Variance ☒ **Special Hearing**

PROPERTY ADDRESS: 3919 TILA ROAD, BALTO, MD 21234 see pages 8 & 9 of the CHECKLIST for additional required information

Subdivision name: CARLA GREEN

plat book: 38, folio: 21, lot: 7, section: B

OWNER: PHILIP M. & SANDRA L. COWETT

93-101-A

North

date: 3/6/93

prepared by: P.M.C.

Scale of Drawing: 1" = 50'

LOCATION INFORMATION

Constitutional District: 5

Election District: 11

1" = 200' scale map: N.E. 10-F

Zoning: D.R. 5.5

Lot area: 0.337

14,675.4 square feet

SEWER: ☒ WATER: ☒

Closest to Bay Critical Area: ☐

Prior Zoning Hearings: NONE

Zoning Office USE ONLY

reviewed by: ITEM #1 CASE#

108

PLEASE PRINT CLEARLY

NAME ADDRESS

MARY M. FARRELL 3917 TILA RD 21234

ERICK L. GUSTAVSON 3912 TILA ROAD 21234